

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 58140

Poonham N. Dabas

6818 Fordcrest Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 12, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-312; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, failure to keep property free of trash, junk and debris on residential property zone DR 5.5 known as 6818 Fordcrest Road, 21237.

On July 24, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. This Citation was issued on July 24, 2009. A \$500.00 (five hundred dollar) civil penalty was imposed on Respondent for a prior Citation, after Respondent failed to remove junk, trash and debris from the property within the time provided for compliance. A Final Order dated May 19, 2009 gave Respondent until June 19, 2009 to correct code violations and receive a reduced civil penalty.

B. Re-inspection found the violations not corrected. The old couch has been removed but other junk, trash and debris remains on the property, and more debris has been added. Photographs in the file taken August 10, 2009 show junk and debris including lumber, stumps, broken pieces of various types of fencing, and old furniture piled around the yard. This violates prohibitions against the accumulation of junk and debris on residential property, and the creation of harborage for rats. Respondent has failed to respond to the County's notices, and failed to appear for this Hearing. Respondent must maintain his property to County code requirements.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent removes the junk, trash and debris from the property by September 8, 2009. If the Respondent fails to correct the violations by that date, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

6818 Fordcrest Road
Page 3

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17th day of August 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf